

FORM PTO-1190  
(REV. 10-96)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

3123-4000US2

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/284152

INTERNATIONAL APPLICATION NO.  
PCT/US97/17669INTERNATIONAL FILING DATE  
30 September 1997  
(30.09.97)PRIORITY DATE CLAIMED  
10 October 1996  
(10.10.97)

TITLE OF INVENTION

CHRYSOPORIUM CELLULOSE AND METHODS OF USE

APPLICANT(S) FOR DO/EO/US

Mark Aaron EMALFARB, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ has been transmitted by the International Bureau.
    - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
  7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☒ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  14. ☐ A substitute specification.
  15. ☐ A change of power of attorney and/or address letter.
  16. ☒ Other items or information:
    - First page of the published international application No. WO 98/25633
    - Copy of the International Preliminary Examination Report.
    - Copy of Statement (Déclaration) Claiming Small Entity Status under 37 CFR §1.9(c) and §1.27(b) - Individual Assignee

17 ☒ The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :**

Search Report has been prepared by the EPO or JPO ..... \$840.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$670.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$760.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$970.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$ 96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**CALCULATIONS PTO USE ONLY**

840.00

\$ 840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	168 - 20 =	148	X\$18.00
Independent claims	23 - 3 =	20	X\$78.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$260.00

\$2,664.00

\$1,560.00

\$ 260.00

**TOTAL OF ABOVE CALCULATIONS =**

\$5,324.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$2,662.00

**SUBTOTAL =**

\$2,662.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$2,662.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =**

\$2,662.00

Amount to be: refunded

\$

charged

\$

a. ☒ A check in the amount of \$2,662.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4500. A duplicate copy of this sheet is enclosed.

Order No. 3123-4000US2

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO

Morgan & Finnegan, L.L.P.  
345 Park Avenue  
New York, New York 10154  
Telephone No. (212) 758-4800  
Facsimile No. (212) 751-6849

SIGNATURE.

James P. Demers

NAME

34,230

REGISTRATION NUMBER

IN THE UNITED STATES

[ ] RECEIVING OFFICE (RO/US)  
[X] DESIGNATED OFFICE (DO/US)  
[X] ELECTED OFFICE (EO/US)

INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED  
PCT/US97/17669 30 September 1997 (30.09.97) 10 October 1996 (10.10.96)  
TITLE OF INVENTION  
CHRYSO Sporium CELLULASE AND METHODS OF USE  
APPLICANT(S)  
Mark Aaron EMALFARB, et al.

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Attention: DO/EO/US

VERIFIED CERTIFICATION OF EXPRESS MAILING DATE  
(INTERNATIONAL APPLICATION (37 CFR 1.10(c)))

I declare that on 08 April 1999 I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number EE645139584US, addressed to the "Assistant Commissioner for Patents, Washington, D.C. 20231" and having an express mail certification which I executed, the following papers:

Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, duly executed; Copy of the first page of the International Application as published No. WO 98/25633; International Preliminary Examination Report; Preliminary Amendment; Check for \$2,662.00 (filing fee); Copy of Statement (Declaration) Claiming Small Entity Status under 37 CFR §1.9© and §1.27(b) and Return Postcard

A copy of these papers from the file of this application is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Israel Fuentes

(Typed or printed name of person making this verified statement)

Date April 8, 1999

  
(Signature of person making this verified statement)

(Verified Certification of Express Mailing Date (International Application) [13-12])